

### **REMARKS/ARGUMENTS**

The Applicants originally submitted Claims 1-20 in the application. In the current response, the Applicants have amended Claims 1 and 11. As noted in the amended specification, this application is related to U.S. Patent Application Serial No. 10/612,097, now issued as U.S. Patent No. 7,389,496 which is commonly assigned with the present invention and incorporated herein by reference as if reproduced in its entirety. Support the amendment can be found, *e.g.*, in column 10, lines 29-30 and Fig. 3B of now issued U.S. Patent No. 7,389,496. No other claims have been canceled or added. Accordingly, Claims 1-20 are currently pending in the application.

#### **I. Rejection of Claims 1-3, 5-9, 11-13, and 15-19 under 35 U.S.C. §103**

The Examiner has rejected Claims 1-3, 5-9, 11-13, and 15-19 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,568,644 to Nelson, *et al.* (hereinafter "Nelson") in view of U.S. Patent No. 5,371,742 to Brown, *et al.* (hereinafter "Brown"). As noted in the Examiner's Notice of Allowance for U.S. Patent No. 7,389,496, the Examiner indicated that the limitations added in the present response to independent Claims 1 and 11 with regard to the claimed virtual element object is allowable. (*See* Notice of Allowance for U.S. Patent No. 7,389,496 of March 28, 2008, page 7 which was prosecuted by the same Examiner as the present application.) As such, the Applicants believe independent Claims 1 and 11 and Claims that depend thereon, in view of the amendment now including the subject-matter the Examiner indicated as allowable in the prosecution of U.S. Patent No. 7,389,496, are patentable over the cited combination of Nelson and Brown. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 1-3, 5-9, 11-13, and 15-19 and allow issuance thereof.

## **II. Rejection of Claims 4, 10, 14, and 20 under 35 U.S.C. §103**

The Examiner has rejected Claims 4, 10, 14, and 20 under 35 U.S.C. §103(a) as being unpatentable over Nelson and Brown as applied to Claims 1 and 11, and further in view of: U.S. Patent No. 5,805,889 to Van De Vanter (hereinafter "Van De Vanter") for Claims 4 and 14; and U.S. Patent No. 4,768,149 to Konopik, *et al.* (hereinafter "Konopik") for Claims 10 and 20. As argued above, independent Claims 1 and 11 and Claims that depend thereon are patentable over the cited combination of Nelson and Brown. Neither Van De Vanter nor Konopik have been cited to teach the limitations of the present amendment. As such, the Applicants believe independent Claims 1 and 11 and Claims that depend thereon, in view of the amendment, are patentable over the cited combination of Nelson and Brown with either Van De Vanter or Konopik. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 4, 10, 14, and 20 and allow issuance thereof.

### **III. Conclusion**

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-20.

The Applicants request the Examiner to telephone the undersigned agent of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, PC

A handwritten signature in cursive script that reads "Steven J. Hanke".

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Dated: December 15, 2008

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